

### REMARKS

Applicant has canceled withdrawn claims 18-28. Applicant disagrees with the examiner's requirement as being pre-mature. In the interests of advancing prosecution and to have the case examined on the merits, the withdrawn claims have been canceled.

Applicant has added new claims 34-49 that are consonant with the original restriction requirement made by the examiner.

In the original restriction, the examiner stated:

I. Claims 1-17 and 29-33, drawn to a system and a computer program product with instructions for causing a computer to for an electronic market for trading of securities, the system comprising a client station for entering an order for executing against any Market Participant that can at least in part satisfy the order; and with the client station displaying a graphical user interface that allows the user to choose a priority type for how the order interacts with contra side quotes/orders in the market, classified in class 705, subclass 37.

II. Claims 18-28, drawn to a method for trading of securities in an electronic market, the method comprises receiving from a client station an order that can immediately access market liquidity, with the order specifying a priority for how the order interacts with contra side quotes/orders in the market; and executing the order in the market against the contra side interest in accordance with the priority type specified by the order, classified in class 705, subclass 37.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, subcombination I has separate utility such as entering an order for executing against any Market Participant that can at least in part satisfy the order, which is different from the utility of subcombination II which is receiving from a client station an order that can immediately access market liquidity. Because these inventions are distinct for the reasons given above and the search required for subcombination I is not required for subcombination II, restriction for examination purposes as indicated is proper. See MPEP § 806.05(d).<sup>1</sup>

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<sup>1</sup> Office action of July 6, 2007.

New claims 34-49 are drawn to the same "utility" as the elected claims, namely "an order for executing against any Market Participant that can at least in part satisfy the order."

Accordingly, Applicant requests that all claims be examined in view of the prior art.

The excess claim fee of **\$260** is being paid concurrently on the electronic filing system by way of deposit account authorization. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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